Appl. No. 10/007,156   <u>PATENT</u>
Amdt. dated August 11, 2006
Reply to Office Action of 04/11/06

<u>REMARKS/ARGUMENTS</u>

Claims 1-33 are pending in this application. Claims 1, 5, 6, 10, 20 and 30 have been amended. Claims 34-38 are added. No new matter has been introduced thereby.

In the Office Action mailed 04/11/2006, the Examiner objected to the information disclosure statement filed on May 24, 2004 as it failed to comply with the provisions of 37 C.F.R. 1.97, 1.98, and MPEP §609. A copy of the information disclosure statement, in accordance with the above provisions, and certification requirement for statements under 37 C.F.R. 1.97(e) is hereby enclosed. Accordingly, the Examiner's objections are now moot.

Claims 1, 5, 10, 13-18, and 30-34 are rejected under 35 U.S.C. §102(e) as being anticipated by Milic-Frayling et al. (US 2006/0059138). Claims 2-4 and 11-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Milic-Frayling et al. Claims 6-9 and 19-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Milic-Frayling in view of "Creating a CD-ROM: Overview of the product field. (CD-ROM authoring and data retrieval software packages; includes company directory and related article on resources for doing research)", Buyers Guide by Bernard Banet, Seybold Report on Desktop Publishing , v7, n6, February 1, 1993. As noted, the cited references, alone or in combination, do not disclose or suggest the present method of identifying entities having expertise in one or more subjects in health care fields as recited in claim 1, as amended. The method includes querying a database for documents relevant to a subject, and calculating a first score for each relevant document. The method then determines entities affiliated with one or more relevant documents and calculates a second score for each entity based on the one or more first scores of the one or more relevant documents affiliated with the entity. The method includes ranking expertise of the entities based on the respective second scores of the entities.

In contrast, the conventional method provided by Milic-Frayling et al. is merely a conventional search. That is, Milic-Frayling, et al. merely relate to an "information highlight facility" for searched documents, i.e., conventional search. Additionally, Milic-Frayling et al.

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may even "re-rank" a document based on a model of a user's interest (paragraph 0041). Such model is derived by monitoring the user's action and information provided by the task the user is performing, e.g., working on a project, sending an email, etc (paragraph 0042) and not the method of identifying entities having expertise in one or more subjects in health care fields in the manner claimed, as recited in claim 1, as amended. As merely an example, the entity can include a hospital, doctor, or others according to the present invention. Additionally, a focus of Milic-Frayling et al on documents is consistent their aim to assist a user in "searching, browsing, and reading documents" (paragraph 0012). Similarly, their conclusion states that their invention can "assist the user in evaluating the relevance of documents" (paragraph 0096), which is not related to the present invention. Accordingly, claim 1 is patentable over Milic Frayling et al.

The Examiner also cited Banet combined with Milic-Frayling et al to reject claims 6-9, and 19-20. As noted, the cited references, alone or in combination also fail disclose or suggest the present method of identifying entities having expertise in one or more subjects in the manner claimed. Banet described features of CD-ROM retrieval software using fields such as "author", "date", "title", "subject" as keywords to search for a document. In contrast, the method according to present invention identifies entities having expertise in one or more subjects in health care fields as recited in claim 1, as amended. The entities recited in claim 6 and claim 19 include an author or one or more institution from which the document emanated. Accordingly the entities recited in claim 1 are an output of the query rather than a keyword used for searching. Accordingly, claim 1 is patentable over the cited references, alone or in combination. Corresponding dependent claims 2-29 and additional features cited therein, should also be allowed based on at least the same reasons and others.

The National Library of Medicine Internet homepage (www.webarchive.com from the year 2000), cited for the purpose of allegedly showing that Medlars is one of the medical databases does not cure the aforementioned deficiencies of Milic-Frayling et al. or Banet.. Accordingly, claim 1 is patentable over the cited references. Claims 2-29 and additional features cited therein, should also be allowed based on at least the same reasons and others.

Claim 30, which disclosed a system for the method of identifying entities having expertise in one or more subjects should also be allowed based on the rationale as discussed for claim 1, and others. Accordingly, claim 30 is also patentable.

Applicant added new claims 34-38. No new matter has been introduced thereby. Applicant asserts that newly added claim 34 is patentable over cited references. As shown, claim 34 recites a method of assessing expertise associated with an entity in a subject in health care fields. As an example, the subject can be coronary bypass, nausea, stroke, and others. The method includes querying a database (e.g., Pubmed) for documents relevant to the subject and determining a first set of entities associated with the relevant documents. Again, as an example, the entities could be authors, institutions, and others. The method also includes calculating a score (e.g., quantification, numerical estimate) for each entity in the first set of entities based on the number of relevant documents associated with each entity. As an example, the method initially populates a database with, for example, the entity such as the institution and/or the author with associated scores or scores. The method includes populating a second database to include each of the entities in the first set of entities and the score associated with each of the entities in the first set of entities.

Now that the database has been populated, a user can, for example set up a query to determine a desired institution and/or author or the like based upon the subject, which can coronary bypass or stroke, as an example. As provided by claim 34, the method includes receiving a query related to an entity. The method includes determining a second set of entities associated with the entity related to the query. The method includes retrieving from the second database the score associated with each entity in the second set of entities. The method includes representing to a user the scores of the entities in the second set of entities or a ranking of the entities in the second set of entities based on the scores of the entities in the second set of entities. The score of an entity is indicative of the expertise in the subject associated with the entity. Such features are not suggested or disclosed in cited references. Accordingly, claim 34 should be allowed. Dependent claims 35-38 are also allowable. Accordingly, all claims now pending in this application should be allowed for these reasons and others.

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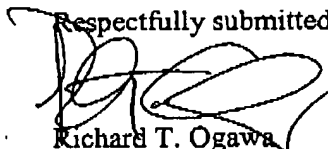Amdt. dated August 11, 2006
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Conclusion

Applicant believes that all claims in this Application are in condition for

allowance. The issuance of a formal Notice of Allowance at an early date is respectfully

requested.

If the Examiner believes a telephone conference would expedite prosecution of

this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

Richard T. Ogawa
Reg. No. 37,692

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
RTO:wcf
60843376 v1